

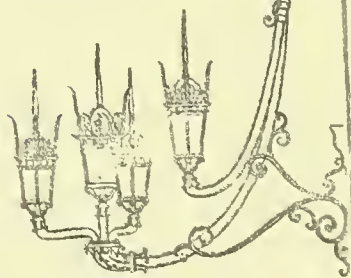
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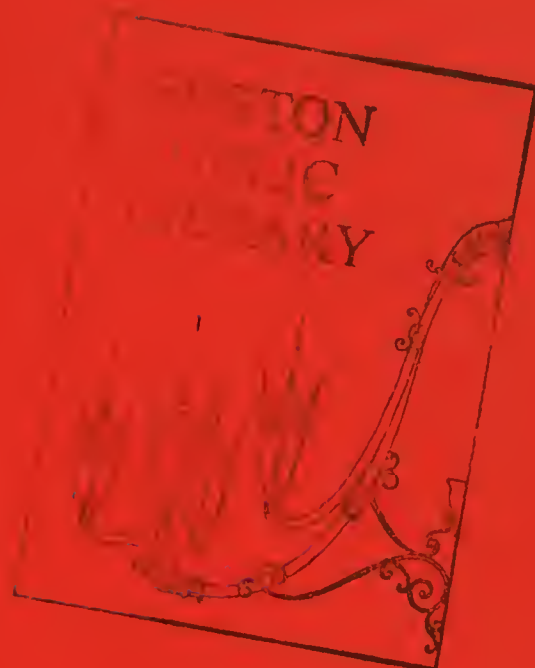
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PERMITTING HANDBOOK

1988

Prepared By:

BEALS AND THOMAS, INC.

First Issue: March, 1988

BEALS AND THOMAS, INC.



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## Introduction

Beals and Thomas, Inc. is a multi-disciplinary firm which provides consulting services for the development and conservation of land and water resources. As consultants and project managers we are responsible for identifying and often applying for permits relevant to project development.

This handbook is set up as a guideline to help in the identification of potential permitting requirements and regulatory restriction for developments projects in Massachusetts. It covers local, state and federal regulations and associated permit requirements. Also included is an updated copy of the Beals and Thomas, Inc. wetland permitting guidelines previously circulated to project managers.

The handbook includes a list of local permits typical to municipalities in Massachusetts. However, local regulations must be consulted to determine specific permitting requirements.

The state listed permit requirements are general and apply to typical industrial and residential development. Permit requirements associated with specialized projects such as towers and airports are not included. Additionally, discussion of the Zoning Act and Subdivision Control Law is excluded.



# Permitting Handbook

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## I. Local Permitting

The requirements for local permitting are not uniform across the state. Therefore, thorough review of the Zoning By-law, Town By-laws and rules and regulations of the various Town boards is necessary to identify the permit requirements of each project.

Many state programs such as Wetland Protection are empowered by State Legislation but administered at the local level. Such programs are discussed in Part II State Permits. The following is a list of typical permits and approvals administered at the local level.

1. Site Plan Approval
2. Subsurface Sewage Disposal
3. Local Sewer Connection
4. Earth Removal
5. Special Permits:
  - Flood Plain District
  - Aquifer Protection
  - Wetland District (see local Wetland By-law)
6. DPW Curb Cuts



## **II. STATE PERMITS**





PERMIT:

Order of Conditions

ISSUING AGENCY:

Local Conservation Commission or the Department of  
Environmental Quality Engineering (DEQE): Division of  
Wetlands, if Superseding Order is required.

AUTHORITY:

Wetland Protection Act  
MGL CH 131 S.40  
310 CMR 10.00

Note: Some Towns have local Wetland By-laws which can be  
zoning or non zoning by-laws. Also, some wetlands are  
regulated by MGL CH 131 S. 40A and 105 as part of the  
Wetland Restriction Program.

REGULATED ACTIVITIES:

Any work proposed within an "Area Subject to Protection Under  
the Act" including banks, wetlands, land under waterbodies,  
land subject to flooding, land subject to coastal storms, land  
subject to tidal action. Activities within the 100' Buffer  
Zone which will alter a protected area is also subject to the  
regulations.

PROCEDURE:

Prerequisites:

ENF may be required if superseding Order is issued  
permitting activities outlined in 301 CMR 11.26 (7) (a).

Components of Submission:

Cover letter, Notice of Intent Application, locus map,  
test pit logs or soils map, drainage calculations,  
project plans showing work in resource areas, check for  
\$25.00. (see general instructions 310 CMR 10.99)

Note: DEQE must be sent 2 copies.

TIME FRAME:

Conservation Commission must hold public hearing within 21 days  
after receipt of a NOI, and must issue an Order of Conditions  
within 21 days after the close of the public hearing (calendar  
days). Public notice must be issued for 5 business days prior  
to the hearing. A ten day appeal period (business days) begins  
with the issuance of the Order of Conditions.



CONTACT:

Local Conservation Commission  
Town/City Hall

or

DEQE Wetlands Division  
Regional Office

Note: See Beals and Thomas, Inc. Wetland Permitting Guidelines  
in Appendix for additional details.



PERMIT:

Request for Determination of Applicability (RDA)

ISSUING AGENCY:

Local Conservation Commission or the Department of Environmental Quality Engineering (DEQE): Division of Wetlands if Superseding Order is required.

AUTHORITY:

Wetland Protection Act

MGL CH 131 S.40

310 CMR 10.00

Note: Some Towns have local Wetland By-laws.

REGULATED ACTIVITIES:

Any person who proposes to perform work within the Buffer Zone shall submit either a NOI or RDA. Any person who wants a determination as to whether the Act applies to land or work that may affect an area subject to protection under the Act may submit a RDA.

PROCEDURE:

Prerequisites:

Map or flag resource areas.

Components of Submission:

Cover letter, locus map, appropriate plans showing resource areas and/or proposed work.

TIME FRAME:

The Conservation Commission must hold public meeting within 21 days after receipt of the RDA and issue a RDA Form 2 of 310 CMR 10.99. Public Notice must be issued 5 days prior to the meeting. Determinations are valid for 3 years.

CONTACT:

Local Conservation Commission





PERMIT:

Groundwater Discharge Permit

ISSUING AGENCY:

Department of Environmental Quality Engineering (DEQE):  
Division of Water Pollution Control

AUTHORITY:

MGL CH 21 S 43  
314 CMR 3.00 - 8.00 and 12.00

REGULATED ACTIVITIES:

Discharge of pollutants per 314 CMR S 5.03, including discharges of more than 15,000 gpd of domestic sewage. (A discharge of more than 25,000 gallons per day of industrial waste or seepage will require an ENF.)

PROCEDURE:

Prerequisites:

None.

Components of Submission:

Application, project plans, filing fee.  
Application in 314 CMR 5.20, 5.22, 5.24 and 5.26

Time Frame:

Application must be submitted at least 180 days prior to the date at which discharge will commence.

CONTACT:

DEQE Division of Water Pollution Control  
1 Winter Street  
Boston, Massachusetts 02110  
292-5673



PERMIT:

Sewer Connection Permit

ISSUING AGENCY:

Department of Environmental Quality Engineering (DEQE):  
Division of Water Pollution Control

AUTHORITY:

MGL Chapter 21 Section 43  
314 CMR 7.00  
see also MDC Permits 350 CMR 11.00

REGULATED ACTIVITIES:

All sewer extensions and connections require this permit unless exempted by DWPC regulations. Connections for discharges less than 2000 gpd of domestic sewage as calculated under 314 CMR are exempt unless a "sewer ban" has been imposed by DWPC in the particular town. Any connection involving industrial waste requires a permit.

PROCEDURE:

Prerequisites:

Application must be approved by municipality or District.

Components of Submission:

Cover letter, application, plans and filing fee (\$100.00). (Application in 314 CMR 7.20)

Note: Contact local municipality or district and confirm filing procedure.

Time Frame:

DWPC will make initial determination within one month following submission.

File with DWPC at least 90 days before the date of construction.

CONTACT:

DEQE  
DWPC  
1 Winter Street  
Boston, Massachusetts 02110  
292-5673  
292-5646





PERMIT:

Water Quality Certification

ISSUING AGENCY:

Department of Environmental Quality Engineering (DEQE):  
Division of Water Pollution Control

AUTHORITY:

MGL CH 21 S. 27 (12)  
310 CMR 9.00

REGULATED ACTIVITIES:

Projects that require dredging or filling waters or wetlands which require:

1. DEQE Superseding Order of Conditions;
2. CH 91 Waterways License;
3. Army Corps Permit Under 33 USC 1344; or
4. EPA Permit 33 USCS.1341

PROCEDURE:

Prerequisites:

One of the above permits.

Components of Submission:

Cover letter, Notice of Intent package, Order of Conditions, Application, project plans as requested in the Application. No filing fee.

Time Frame:

Certification is usually issued 4-6 weeks after submission; however, there is no statutory time requirement.

CONTACT:

David Slagle or Judy Perry  
DEQE - DWPC  
1 Winter Street, 7th Floor  
Boston, Massachusetts 02110  
292-5673



PERMIT:

CH 91 Waterways License

ISSUING AGENCY:

Department of Environmental Quality Engineering (DEQE):  
Division of Waterways

AUTHORITY:

MGL CH 91 S. 12-23  
310 CMR 9.00

REGULATED ACTIVITIES:

Work proposed within:

1. In or over any tidelands (existing or previous tidelands).
2. In or over any river or stream with respect to which public funds have been expended, or
3. In or over any Great Pond or outlet.

PROCEDURE:

Prerequisites:

Must file Notice of Intent before filing for license.  
Must have Order of Conditions prior to receiving license. MEPA compliance is applicable.

Components of Submission:

Cover letter, Notice of Intent, Order of Conditions, plans prepared in accordance with regulations, filing fee, Water Quality Certifications.

Note: An Army Corps of Engineers permit will not be issued until state license is issued. Construction can not begin until the corps permit is issued.

Time Frame:

Public notice is issued regarding application for a license. A license may be issued 45 days after public notice, however, there is no statutory requirement.

Note: A public hearing must be held for all non-water dependent uses.

CONTACT:

DEQE  
Division of Waterways  
1 Winter Street, 7th Floor  
Boston, Massachusetts 02110  
292-5518

BEALS AND THOMAS, INC.



PERMIT:

Dredging and Disposal of Dredged Material Permit

ISSUING AGENCY:

Department of Environmental Quality Engineering (DEQE):  
Division of Water Pollution Control

AUTHORITY:

MGL CH 21 S. 26 - 53  
CH 91 S.2, 52, 55  
CMR 314 S. 9.00

REGULATED ACTIVITIES:

Dredging activities in the waters of the Commonwealth or disposal of dredged material.

PROCEDURE:

Prerequisites:

Likely to require an Order of Conditions and Water Quality Certification and Army Corps Permit. See also MEPA thresholds.

Components of Submission:

Application Form in 314 CMR 9.00.

Time Frame:

None specified.

CONTACT:

DEQE Division of Water Pollution Control  
1-11 Winter Street, 7th Floor  
Boston, Massachusetts 02110  
292-5518



PERMIT:

Construction and Maintenance of Dams

ISSUING AGENCY:

Department of Environmental Quality Engineering (DEQE):  
Division of Waterways

AUTHORITY:

MGL CH 253 S. 44-50 as amended by  
CH 722 of Acts of 1979  
310 CMR 9.00

REGULATED ACTIVITIES:

Construction of any dam which is 25' or higher, which can impound 50 acre/feet of water, or which is designated by regulations.

PROCEDURE:

Prerequisites:

Must file a Notice of Intent before filing for a License. Must have an Order of Conditions and can file for a Chapter 91 License at the same time you file for a Dam permit. MEPA may be triggered. Consult Army Corps of Engineers Regulations, as well.

Components of Submission:

Cover letter and plans.  
Project likely to involve Disposal of Dredged Material Permit and US Corps of Engineers Permit.

Time Frame:

None specified.

CONTACT:

DEQE Division of Waterways  
1-11 Winter Street, 7th Floor  
Boston, Massachusetts 02110  
292-5518





PERMIT:

Subsurface Sewage Disposal

ISSUING AGENCY:

Local Board of Health

AUTHORITY:

Title V of the State Environmental Code  
310 CMR 15.00  
MGL CH. 111 S. 17 CH. 21 S.1  
Local Board of Health Regulations

REGULATED ACTIVITIES:

Subsurface sewage disposal of not more than 15,000 gpd.

Note: Local BOH regulations may be more stringent than Title V.

PROCEDURE:

Prerequisites:

Percolation tests, witnessed groundwater.

Components of Submission:

Test data, subsurface sewage disposal plans. There is usually a fee associated with permit application.

Time Frame:

Consult local regulations.

CONTACT:

Local Board of Health



PERMIT:

Water Withdrawal Permit

ISSUING AGENCY:

Department of Environmental Quality Engineering (DEQE):  
Division of Water Supply

AUTHORITY:

MGL CH. 21G S.3  
310 CMR 36.00

REGULATED ACTIVITIES:

Proposed water withdrawal in excess of threshold volume defined as a daily average of 100,000 gallons per day.

PROCEDURE:

Prerequisites:

Construction of any building or structure which may require a new withdrawal can occur only after a permit is obtained.

Components of Submission:

Registration Application to DEQE regarding amounts of withdrawal, use for water, type of water source, location of source, conservation measures, discharge points and other information outlined in 310 CMR 36.06.

Time Frame:

Note: After January 1, 1988 any withdrawal in excess of the threshold must be either a) registered as an existing withdrawal or b) allowed under a permit.

Existing withdrawals must be registered prior to January 1, 1988.

CONTACT:

DEQE - Division of Water Supply  
One Winter Street  
Boston, Massachusetts 02110  
292-5765



PERMIT:

DPW Tree Removal

ISSUING AGENCY:

Department of Public Works  
District Office (see Appendix)

AUTHORITY:

MGL CH. 81 Section 21. No CMR

REGULATED ACTIVITIES:

Removal of trees located in the state highway layout.

PROCEDURE:

Prerequisites:

Must replace tree in accordance with DPW specifications.

Components of Submission:

Submission of project plans to DPW.

Time Frame:

None specified.

CONTACT:

District Highway Engineer  
DPW  
see District Map in Appendix



PERMIT:

DPW Curb Cut

ISSUING AGENCY:

District Engineer, DPW

AUTHORITY:

MGL CH. 81 Section 21

See also: Part XI Rules Regulations for entrances to state highway (in black filing cabinet)

REGULATED ACTIVITIES:

Entrances and exits to state highways.

PROCEDURE:

Prerequisites:

See design standards.

Components of Submission:

Definitive Plans prepared in accordance with design standards, application.

Time Frame:

None specified

CONTACT:

District Highway Engineer  
District Office  
See Map in Appendix





PERMIT:

Shade Tree Removal

ISSUING AGENCY:

Local Tree Warden

AUTHORITY:

MGL CH. 87 S. 3

REGULATED ACTIVITIES:

Cutting or trimming any tree within or touching upon a public way.

PROCEDURE:

Prerequisites:

None specified.

Components of Submission:

Cover letter, plans.

Time Frame:

Public hearing held after 7 day public notice period.

CONTACT:

Local Tree Warden



PERMIT:

Scenic Roads

ISSUING AGENCY:

Varies. Usually the Planning Board, Selectmen or City Council.

AUTHORITY:

CH. 40 S. 15C

REGULATED ACTIVITIES:

Any repair, maintenance, paving involving cutting or removal of trees or stone walls on a road designated by the Town/City as a scenic road.

Note: Numbered route or state highways are not eligible for scenic road status.

PROCEDURE:

Prerequisites:

None.

Components of Submission:

Cover letter, plans.

Time Frame:

Public notice must be advertised twice in a newspaper of general circulation; and at least seven days prior to hearing.

Note: The hearing for scenic roads and shade tree removal may be consolidated.

CONTACT:

Local Planning Board



PERMIT:

MDC Surface Water Drainage Disposal or Discharge

ISSUING AGENCY:

Metropolitan District Commission (see attached Map for MDC Towns)

AUTHORITY:

MGL CH 92 Section 17  
310 CMR S. 23.00

REGULATED ACTIVITIES:

Discharge of drainage into any drain, catch basin, stream, river or tributary, or land under care of MDC must pass through oil and gas separators.

PROCEDURE:

Prerequisites:

MDC requires engineering design to meet minimum standards.

Components of Submission:

Contact MDC directly. No formal application.

Time Frame:

None specified.

CONTACT:

MDC  
Permits Section  
20 Somerset Street  
Boston, Massachusetts 02108  
727-2033



PERMIT:

MDC Special Connection - Sewer

ISSUING AGENCY:

MDC

AUTHORITY:

MGL CH 92  
CH 814 Acts of 1974

REGULATED ACTIVITIES:

Sewer connections to MDC sewer.

PROCEDURE:

Prerequisites:

Components of Submission:

Contact must be made with Town. Town must file application on behalf of proponent with plans.

Time Frame: .

None specified

CONTACT:

MDC  
Sewage Division  
20 Somerset Street  
Boston, Massachusetts 02108  
727-5326





PERMIT:

MDC - Construction within MDC easement or near MDC mains

ISSUING AGENCY:

Metropolitan District Commission

AUTHORITY:

Chapter 92 S. 95

REGULATED ACTIVITIES:

Any building or construction within an MDC water or sewer easement or any crossing or excavation near MDC water or sewer mains requires special permission.

PROCEDURE:

Prerequisites:

None specified.

Components of Submission:

Written request along with plans showing pertinent information needed to protect MDC lines.

Time Frame:

None specified

CONTACT:

MDC  
20 Somerset Street  
Boston, Massachusetts 02108  
727-2033



PERMIT:

Industrial User Discharge Permit

ISSUING AGENCY:

Metropolitan District Commission

AUTHORITY:

MGL Chapter 92, as amended. Section 12 of Chapter 705 of the Acts of 1975.  
350 CMR S.11.00

REGULATED ACTIVITIES:

Discharges of industrial wastes to sewerage systems tributary to or directly into the MDC system must obtain a joint permit from the Commission and the municipality in which the discharge is located.

PROCEDURE:

Prerequisites:

None specified.

Components of Submission:

File: Application for a permit to discharge wastewater into the sewerage system of the local municipality and the MDC with the MDC.

Time Frame:

None specified

CONTACT:

MDC  
Sewerage Division  
Sanitary Engineering Section  
20 Somerset Street  
Boston, Massachusetts 02108  
727-8989



PERMIT:

Utility Installation Permits

ISSUING AGENCY:

Metropolitan District Commission

AUTHORITY:

MGL Chapter 92, Section 12 and 13

REGULATED ACTIVITIES:

Construction of utilities (gas, electric and telephone) within land under the jurisdiction of the MDC

PROCEDURE:

Prerequisites:

Usually approvals are needed from specific utility companies.

Components of Submission:

Project plans.

Time Frame:

None specified

CONTACT:

MDC  
Permits Section  
20 Somerset Street  
Boston, Massachusetts 02108  
727-2033



**II B. STATE REVIEWS**





PERMIT:

State Register of Historic Places

ISSUING AGENCY:

Massachusetts Historical Commission

AUTHORITY:

MGL CH 9 S. 26 A-27 C  
950 CMR 71.00

REGULATED ACTIVITIES:

When a project impacts any property listed on the State Register of Historic Places.

PROCEDURE:

Prerequisites:

Consult MHC or State Register of Historic Places and Updates.

Components of Submission:

Notification of MHC

Time Frame:

Consult MHC usually 30 day review.

CONTACT:

Massachusetts Historical Commission  
80 Boylston Street  
Boston, Massachusetts  
727-8470



PERMIT:

Coastal Zone Management (CZM) Consistency Certification

ISSUING AGENCY:

Coastal Zone Management (EOEA)

AUTHORITY:

15 CFR Part 930  
301 CMR 21.00

REGULATED ACTIVITIES:

The Executive Office of Environmental Affairs (EOEA) certification of consistency with the CZM Management plan is required before federal permits may be issued for projects within the CZM Zone.

See attached list of towns within the CZM. Also, any land abutting a river or stream identified by EOEA as an "anadromous fisheries" is also part of the "coastal zone".

Regulated activities are most commonly those affecting land or water in a coastal zone for which a federal license or permit is required. See regulations for additional activities.

PROCEDURE:

Prerequisites:

Usually Order of Conditions and other state permits are required.

Components of Submission:

Applicant must submit a consistency determination to the CZM office if the activity is determined to have significant effects on the coastal zone.

Time Frame:

None specified. Certification of consistency is published in the Environmental Monitor.

CONTACT:

CZM  
EOEA  
100 Cambridge Street  
Boston, Massachusetts  
727-9800



PERMIT:

Compliance with the Massachusetts Environmental Policy Act (MEPA)

ISSUING AGENCY:

Massachusetts Executive Office of Environmental Affairs

AUTHORITY:

MGL CH 30 S. 61-62H  
301 CMR 11.00

REGULATED ACTIVITIES:

MEPA applies to the activities of all agencies of the Commonwealth, to all activities carried out with financial assistance from agencies, and to all activities which require permits granted by agencies when project exceeds certain thresholds.

PROCEDURE:

Summary: MEPA regulations establishes a procedure and timetable for a two-level review process which generally proceeds as follows: If a project exceeds review thresholds, the proponent files an Environmental Notification Form (ENF). A thirty (30) day review period follows during which the Secretary receives comments and holds a site visit and "scoping session". At the close of the ENF review period, the Secretary determines whether an Environmental Impact Report (EIR) is necessary. If no EIR is required permit granting agencies may act on the project. If an EIR is required, it is prepared by the proponent and submitted to the Secretary. The EIR is reviewed and commented on, at both draft and final forms. After completion of the Secretary's review of the final EIR and expiration of a legal challenge period, agencies may act on the project.

Prerequisites:

A project is subject to MEPA if it requires any agency action, financial assistance or agency (state) permit. For such projects, an ENF must be filed if one of the following applies.

- A. The project exceeds a categorical inclusion threshold set forth in 301 CMR 11.25.
- B. The project exceeds a review threshold set forth in 301 CMR 11.26 for agency permits.



- C. The project exceeds a review threshold set forth in 301 CMR 11.27, for agency action or financial assistance.
- D. The project is in a designated ACEC (see 301 CMR 11.15) or the fail-safe provisions have been involved (see 301 CMR 11.03 (a)).

Components of Submission:

Public Notice must be published and the appropriate review document (ENF, DEIR, FEIR) must be submitted and circulated as outlined in 301 CMR 11.24.

Time Frame:

See attached flow chart.

CONTACT:

Secretary of Environmental Affairs  
100 Cambridge Street - 20th Floor  
Boston, Massachusetts 02202  
727-5830





The following is a list of state statutes which relate to wetlands and waterways. These are generally overlays or designated areas which would directly affect site planning efforts.

1. Areas of Critical Environmental (ACEC) Concern (MGL CH 21A S. 2 310 CMR 12.00). See booklet of designated areas in resource library. List of the ACEC's is attached in the appendix.
2. Scenic and Recreational Rivers. See Appendix for list of Rivers.
3. Restricted Wetlands (MGL CH. 131 S. 40A and 105). May involve MEPA. Restricted wetlands are administered by DEQE Wetlands Division.



### III. FEDERAL PERMITS



PERMIT:

Army Corps of Engineers Permit - Nationwide Permit

ISSUING AGENCY:

Army Corps of Engineers

AUTHORITY:

Section 10: Rivers and Harbors Act of 1899 (33 USC 403)  
Section 404: Clean Water Act (33 USC 1344)  
Section 103: Marine Protection Research and Sanctuaries  
Federal Register November 13, 1986. Act of 1972 as amended (33 USC 1413)

REGULATED ACTIVITIES:

Activities resulting in the discharge of dredged or fill materials into "waters of the U.S." broadly defined to include wetlands; construction of structures (bulkheads, piers, etc.) overhead and underwater utilities in wetlands or waterways (see Federal Register).

PROCEDURE:

Prerequisites:

Water Quality Certification and Order of Conditions

Components of Submission:

Cover letter, locus map, project plans (8' 1/2" x 11" copy of filled area), Water Quality Certification and Order of Conditions. (The latter two may be forwarded to Corps to facilitate early process of notification.)

Time Frame:

As of 11/87 NWP were being issued in 4 months. It is recommended that the cover letter and plans be submitted early and the Water Quality Certification and Order of Conditions be forwarded to avoid unnecessary delay.

CONTACT:

Regulatory Branch  
New England Division  
US Army Corps of Engineers  
424 Trapelo Road  
Waltham, Massachusetts 02154  
647-8148



PERMIT:

Army Corps of Engineers Permit - Individual

ISSUING AGENCY:

Army Corps of Engineers

AUTHORITY:

Section 10: Rivers and Harbors Act of 1899 (33 USC 403)

Section 404: Clean Water Act (33 USC 1344)

Section 103: Marine Protection Research and Sanctuaries

Federal Register November 13, 1986. Act of 1972 as amended (33 USC 1413)

REGULATED ACTIVITIES:

Activities resulting in the discharge of dredged or fill materials into "waters of the US", construction of structures, that exceed permit requirements for nationwide permits.

PROCEDURE:

Prerequisites:

Pre application meeting is advised.

Components of Submission:

Cover letter, Application, plans drawn to COE specifications, fee may be assessed by District Engineer.

Time Frame:

Approximately 6-8 months depending on outcome of the review period.

CONTACT:

Regulatory Branch  
New England Division  
US Army Corps of Engineers  
424 Trapelo Road  
Waltham, Massachusetts 02154  
647-8148





#### **IV. WETLAND PERMITTING GUIDELINES**



## WETLAND PERMITTING GUIDELINES

DECEMBER, 1987

The following wetland guidelines are designed to serve as a general punchlist of items necessary for filing a Notice of Intent. The information gathered can also be used in facilitating the filing for Water Quality Certification and Army Corps of Engineers Permit.

### I. Preliminary Research

#### A. Conduct site visit.

1. Map or flag all resource areas on the site (complete Wetland Log Form). Note: If wetland boundary is critical to design, the flags must be located by field survey.
2. Check upstream and downstream conditions, and note any wetlands located off site but which have Buffer Zones on the project site.
3. Evaluate wildlife habitat and note the following:

Vegetation: species composition, percent cover, density, height, and species diversity.

Soil: type, texture, moisture, depth.

Site Features: slope, topography and acreage.

Hydrology: water depth, quality, turbulence, stream bottom.

Special conditions: tree cavity density, snag density, density of natural subsurface crevices and cavities, density of reptile basking sites.

#### B. Conduct Site Research

1. Consult Rare Species Habitat Maps provided by the Conservation Commission, and contact Division of Fisheries and Wildlife for possible vernal pools on the site.



2. Contact the Natural Heritage and Endangered Species Program regarding any work proposed in an area identified as rare species habitat. Notification to the Heritage Program must include a completed copy of Appendix A of a NOI Form, an 8 1/2" x 11" locus map, and should be filed no more than 90 days prior to filing of a Notice of Intent.
  3. Obtain and review relevant floodplain information including FEMA maps, local floodplain maps, and/or Army Corps flood studies. Determine if locus is located in a floodplain and if additional hydrologic analysis will be required.
  4. Determine if site is affected by the Inland and Coastal Wetland Restriction Acts (MGL CH 131 S. 40 A and MGL CH 130 S. 105). See title abstract for the property.
- C. Contact local Conservation Commission and confirm:
- a. Office hours.
  - b. Name of current Chairman.
  - c. Public Hearing schedule, and meeting schedule (ie. for workshops).
  - d. Public notice procedure and submission dates.
  - e. Filing fees.
  - f. Number of copies of the submission the Commission requires.
  - g. Inquire about other procedural matters that may deviate from state regulations.
  - h. Any local wetland by-law.
- D. Obtain current deed information for the project site.

## II. Design Research

- A. Identify all resource areas.
- B. Determine if proposed project can be completed without altering resource area or if minor scale down can prevent intrusion into wetlands.
- C. Calculate surface area and volume of wetland filled (if necessary). (Note: Volume should be calculated to the mean annual water level or one-year storm elevation).
- D. Calculate compensatory wetland area and note conformance with the Wetland Protection Regulations.



- E. Calculate 10 and 100 year storms and determine percentage of resource area effected, if necessary.

### III. Submission

- A. Compile Submission material and make copies.

- B. Filing

- 1. Original and two copies and filing fee to go to the Conservation Commission (certified mail return receipt or hand delivery).
  - 2. Two copies go to regional office DEQE via certified mail return receipt or hand delivery.
  - 3. Remaining copies should be distributed to client and other parties involved.
  - 4. BTI file copy should be placed in job folder.

### IV. Post Submission

- A. Confirm hearing date and time.
- B. Obtain DEQE file number prior to hearing.
- C. File for related wetland permits.

### V. Other

Note: The one page abbreviated Notice of Intent can be used for projects when all three of the following exist:

- 1. The proposed work is only within the Buffer Zone.
  - 2. The proposed work will disturb less than 1000 sf of the Buffer Zone and/or land subject to flooding.
  - 3. The work will not require a Corps of Engineers Section 10 or Section 404 permit or a license from the Division of Waterways pursuant to G.L.C.91.

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AREAS OF CRITICAL ENVIRONMENTAL CONCERN

Coastal Areas (see map)

Parker River/Essex Bay  
Ellisville Harbor  
Sandy Neck/Barnstable Harbor  
Pocasset River  
Waquoit Bay  
Weymouth/Hingham Back River  
Inner Cape Cod Bay  
Weir River  
Pleasant Bay

Inland Areas (see booklet)

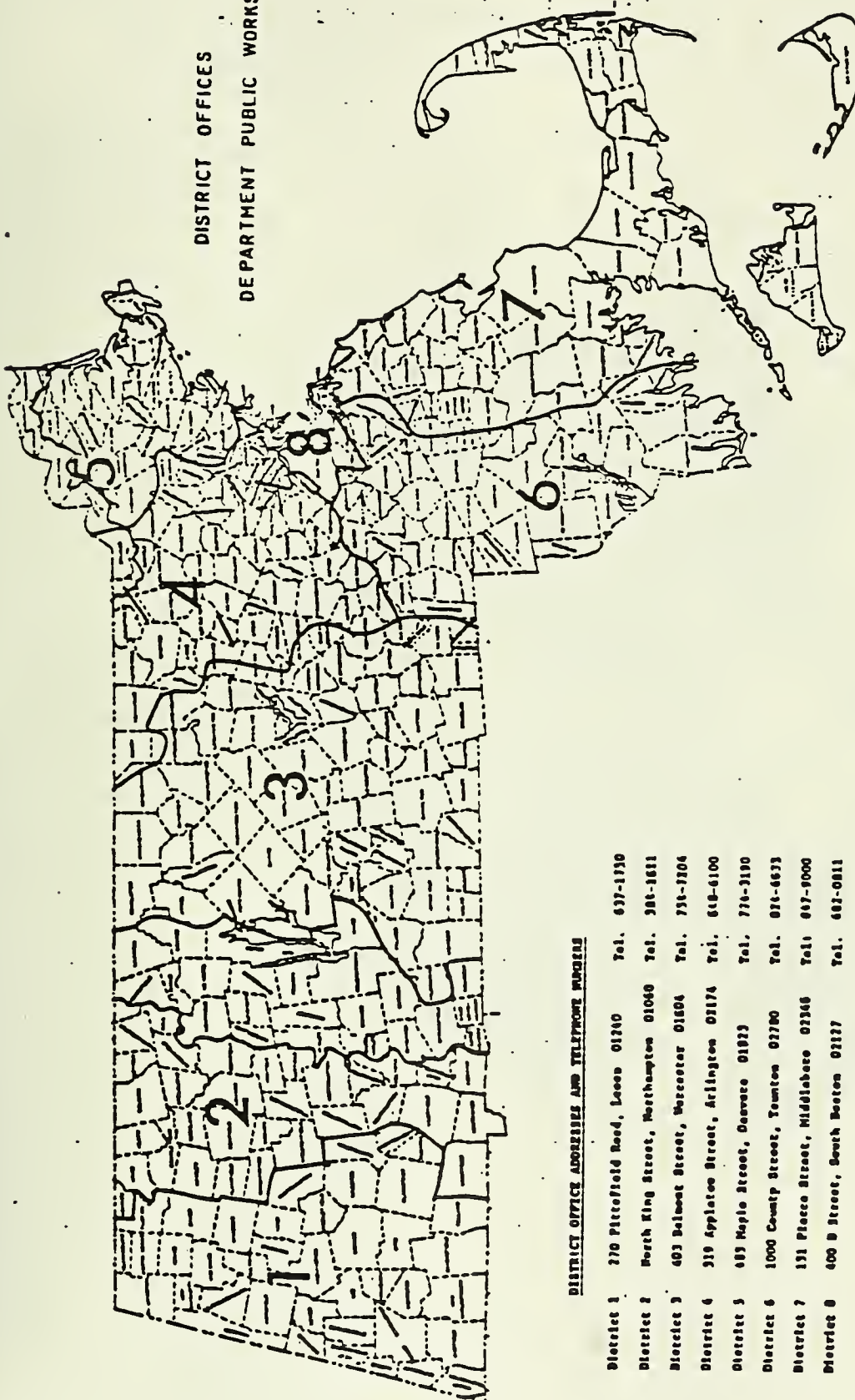
Westborough Cedar Swamp  
Braintree Cranberry Brook Watershed  
Golden Hills (Saugus, Wakefield)



**APPENDIX**



DISTRICT OFFICES  
DEPARTMENT PUBLIC WORKS



DISTRICT OFFICE ADDRESSES AND TELEPHONE NUMBERS

District 1	270 Pittsfield Road, Leens	01240	Tel. 637-1750
District 2	North King Street, Northampton	01040	Tel. 386-3611
District 3	403 Belmont Street, Worcester	01804	Tel. 756-3204
District 4	319 Appleton Street, Arlington	02174	Tel. 848-4100
District 5	485 Maple Street, Danvers	01823	Tel. 776-3190
District 6	1000 County Street, Taunton	02780	Tel. 876-6673
District 7	131 Pierce Street, Middleboro	02346	Tel. 937-9000
District 8	400 B Street, South Boston	02127	Tel. 482-0811



METROPOLITAN DISTRICT COMMISSION

District Membership - 1974

Parks - Water - Sewerage

Total Members - 54

- 3 Member of all three MDC districts

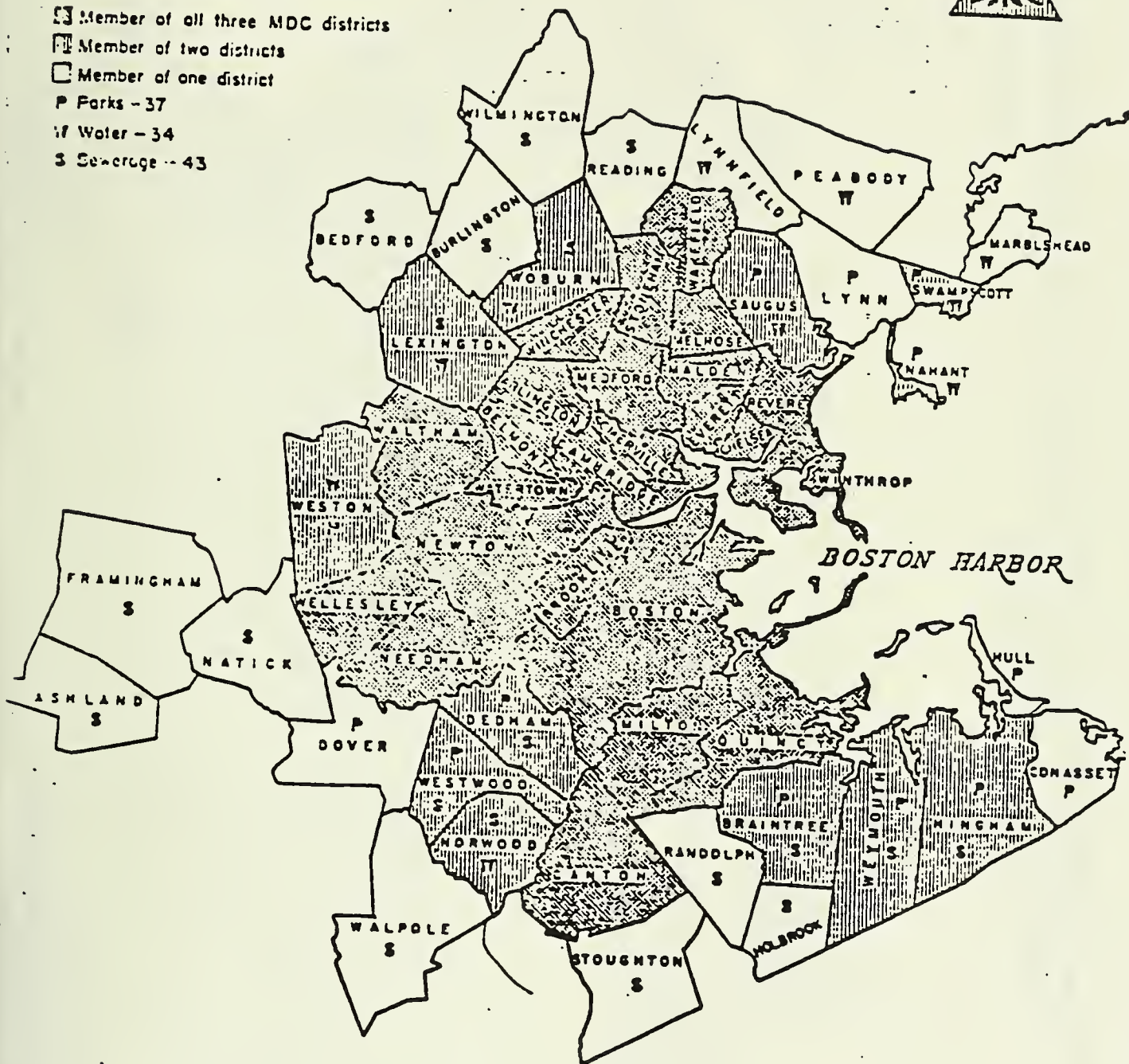
- Member of two districts**

- ☐ Member of one district

P Forks - 37

if Water - 34

3 Sewerage -- 43

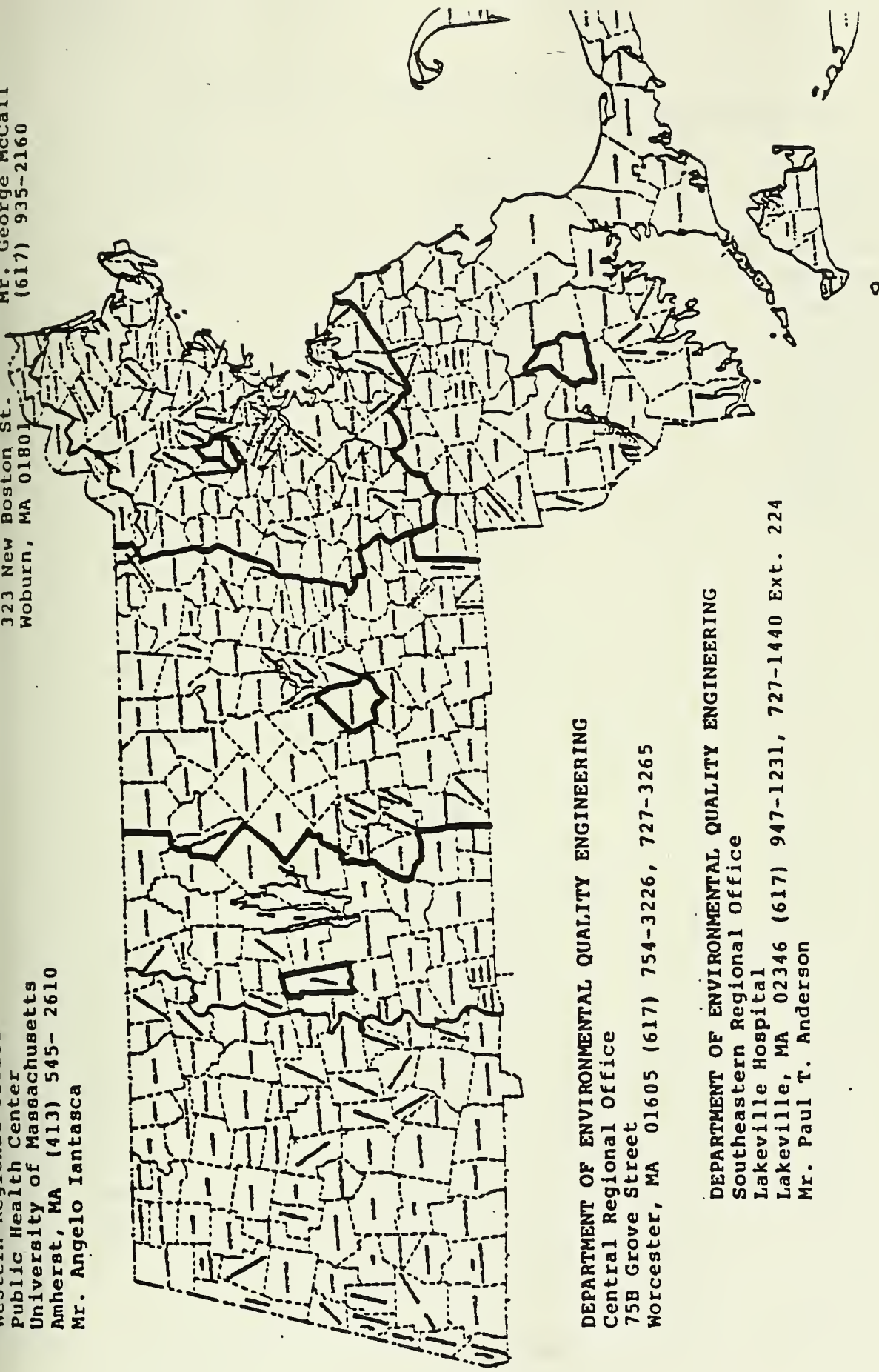






Western Regional Office  
Public Health Center  
University of Massachusetts  
Amherst, MA (413) 545-2610  
Mr. Angelo Iantasca

Metro Boston/Northeast Regional Office  
323 New Boston St.  
Woburn, MA 01801  
Mr. George McCall  
(617) 935-2160



DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING

Central Regional Office  
75B Grove Street  
Worcester, MA 01605 (617) 754-3226, 727-3265

DEPARTMENT OF ENVIRONMENTAL QUALITY ENGINEERING

Southeastern Regional Office  
Lakeville Hospital  
Lakeville, MA 02346 (617) 947-1231, 727-1440 Ext. 224  
Mr. Paul T. Anderson

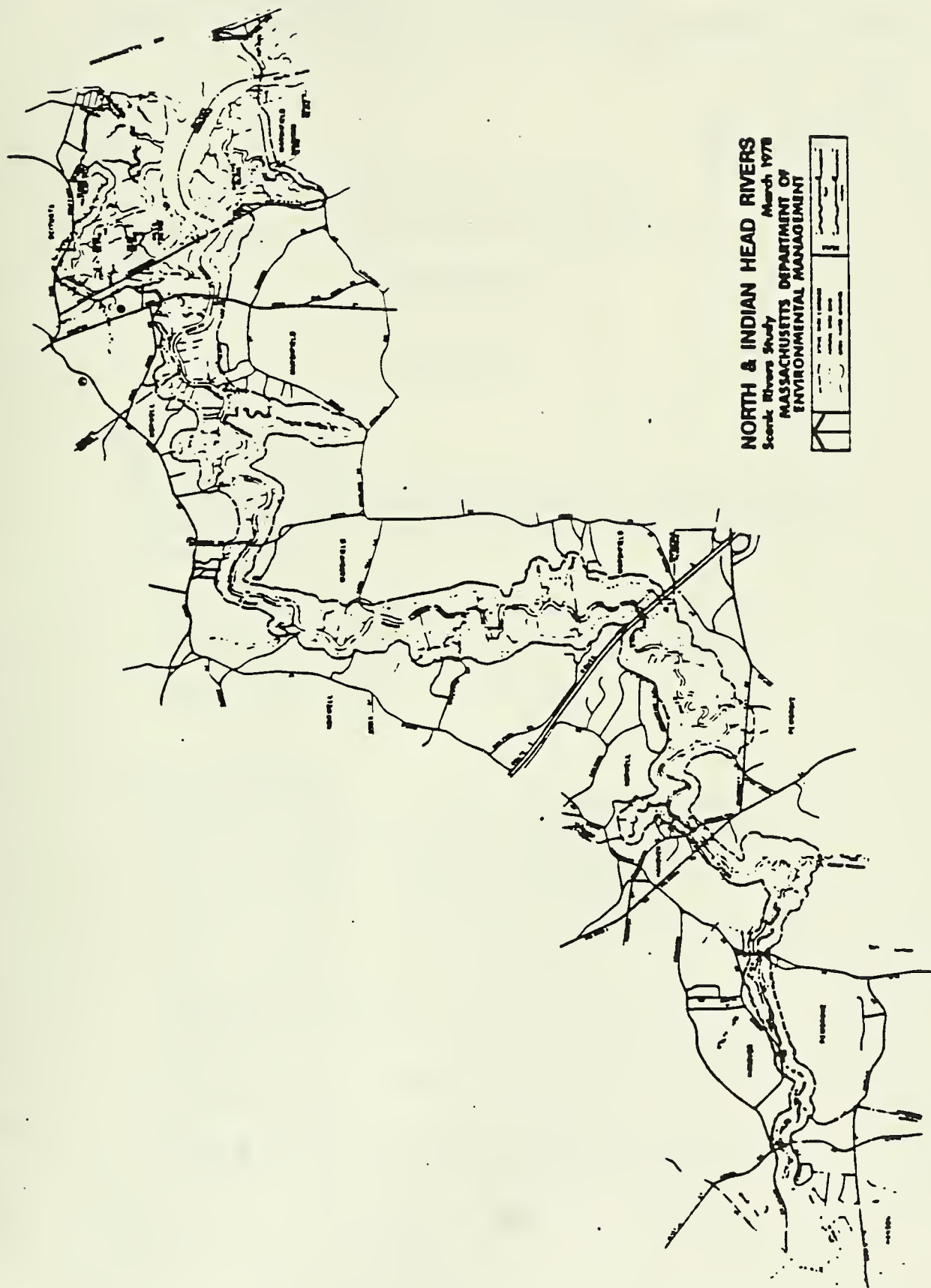
COMMONWEALTH OF MASSACHUSETTS



MASSACHUSETTS TOWNS COVERED UNDER COASTAL ZONE MANAGEMENT (CZM)

Acushnet	Manchester	Wellfleet
Barnstable	Marblehead	Westport
Berkley	Marion	West Tisbury
Beverly	Marshfield	Weymouth
Brewster	Mashpee	Winthrop
Boston	Mattapoissett	Yarmouth
Bourne	Nahant	Amesbury
Braintree	Nantucket	Hanover
Chatham	New Bedford	Milton
Chelsea	Newburyport	Peabody
Chilmark	Newbury	Taunton
Cohasset	Norwell	
Danvers	Oak Bluffs	
Dartmouth	Orleans	
Dennis	Pembroke	
Dighton	Provincetown	
Duxbury	Plymouth	
Eastham	Quincy	
Edgartown	Rehoboth	
Essex	Revere	
Everett	Rockport	
Fairhaven	Rowley	
Fall River	Salem	
Falmouth	Salisbury	
Freetown	Sandwich	
Gay Head	Saugus	
Gloucester	Scituate	
Gosnold	Seekonk	
Harwich	Somerset	
Hingham	Swampscott	
Hull	Swansea	
Ipswich	Tisbury	
Kingston	Truro	
Lynn	Wareham	









Commonwealth of Massachusetts  
Executive Office of Environmental Affairs  
Department of Environmental Management **RECEIVED**

APR 23 1986

DEALS AND THOMAS, INC.

Cambridge Street  
on  
achusetts  
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MASSACHUSETTS SCENIC RIVERS PROGRAM

LIST OF DESIGNATED AND CLASSIFIED RIVERS

February, 1985

ce of the  
Commissioner

DESIGNATED

STATE SCENIC RIVERS

(A state protective order, management plan or the equivalent has been adopted by the Commissioner of the Department of Environmental Management for all or a significant portion of the river.)

North River, Hanover to Scituate, with parts of Indian Head River and Herring Brook, Pembroke	16.2 miles
Money/Hopper Brooks, Williamstown	6.1 miles

LOCAL SCENIC RIVERS

(A locally developed protective mechanism and/or management plan that outlines a specific protection strategy has been approved by the Commissioner of the Department of Environmental Management.)

Charles River, Mellen Street in Bellingham/Milford to Cochran Dam in Needham/Dover	38.0 miles
Housatonic River, Lee/Lenox town line to the Connecticut border	31.0 miles
Merrimack River, from the New Hampshire border to the ocean	49.7 miles
Nashua River, North Branch and Mainstem; Route 2, N. Leominster to the New Hampshire border	35.0 miles
Squannacook River, West Townsend to the Nashua River	15.2 miles

Michael S. Dukakis  
Governor  
James S. Hoyte  
Secretary

Guttensohn  
Commissioner







CLASSIFIED

(From the 180 rivers and streams nominated and inventoried, the following met the criteria established for the respective classifications. Classified rivers are proposed for designation and are monitored through an environmental review procedure.)

NATURAL

Ashley Hill Brook, Mt. Washington	3.3 miles
Cold River, Florida and Savoy	4.6 miles
* Westfield River, East Branch, Chesterfield	4.0 miles

SCENIC NATURAL LANDSCAPE

Bashbish Brook, Mt. Washington (with Ashley Hill Brook-Natural)	1.9 miles
Cold River, Florida to Savoy, with tributaries: Tannery Brook (0.8 miles), Ross Brook (1.5 miles), Bog Brook (1.9 miles), and Gulf Brook (3.3 miles). This includes the 4.6 Natural section of the Cold River	12.4 miles
Dunbar Brook, Monroe	5.2 miles
Hopper Brook, Williamstown. This includes a 2.2 mile Natural section (already designated)	4.1 miles
Ipswich River, Topsfield	5.9 miles
* Millers River, Winchendon to Royalston	9.1 miles
Race Brook/Dry Brook, Mt. Washington and Sheffield	1.5/2.7 miles
Roaring Brook/Housatonic River, Washington and Lenox	3.5/4.6 miles
Roberts Meadow Brook, Chesterfield to Northampton	4.2 miles
Shaker Mill Brook, Washington and Becket	4.0 miles
Swift River, West Branch, Wendell and Shutesbury	5.9 miles
* Westfield River, East Branch, Cummington to Huntington (including the 4 mile Natural section)	14.0 miles
Whiting River, New Marlboro	5.3 miles



## SCENIC CULTURAL

Agawam River, Plymouth to Wareham	9.1 miles
Fort River, Shutesbury to Hadley	14.1 miles
Quinebaug River, Holland to Southbridge	13.5 miles
South River, Ashfield to Deerfield River	14.0 miles
Sudbury and Concord Rivers	
Framingham to Concord River	17.2 miles
Concord to Billerica	8.5 miles

## RECREATION NATURAL LANDSCAPE

Deerfield River, Shelbourne Falls to Stillwater Bridge	8.5 miles
Farmington River, West Branch, from confluence with Thorp Brook to Hayden Pond	11.0 miles
Green River, Leyden to Greenfield	11.9 miles
Konkapot River, Monterey to Connecticut border	13.4 miles
Mashpee River, Mashpee	6.4 miles
* Pamet River, Truro	4.0 miles
* Parker River, Georgetown to Newbury	13.4 miles
Plum Island River, Newburyport	5.2 miles
Scantic River, Wesson Pond, Hampden to Connecticut line (in coordination with the Connecticut Department of Environmental Protection)	6.3 miles
* Stillwater River, Princeton to Wachusett Reservoir	7.8 miles
Swift River, East Branch and Main Stem	
Brown Pond, Petersham to Quabbin Reservoir	9.5 miles
Quabbin Reservoir to Ware River	8.6 miles
* Tully River, East Branch	
New Hampshire border to Millers River	11.0 miles
* Westfield River, Dead Branch	
Damon Pond, Chesterfield to East Branch	3.3 miles
* Westfield River, Middle Branch	
Peru to Chester	13.5 miles
Westfield River, West Branch, Becket to Chester	9.1 miles



\* Westport River

East Branch, Noquochoke Lake to ocean	9.1 miles
West Branch, Rhode Island border to ocean	4.6 miles

RECREATIONAL URBAN

Connecticut River, Vermont line to Holyoke dam plus Oxbow	52.8 miles
Ipswich River, Peabody to ocean (includes 5.9 Scenic Natural Landscape section)	26.4 miles
Quaboag River, Quaboag Pond to Chicopee River	24.9 miles
Wampanoag Canoe Passage, Scituate to Fall River (including portions of the North River, Herring Brook, Satucket River, Matfield, Taunton River) <u>and Nemasket River</u>	72.0 miles 9.4 miles

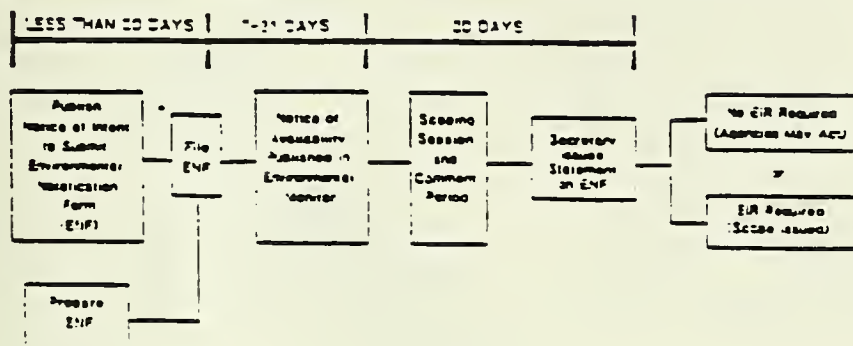
\*River is currently under study



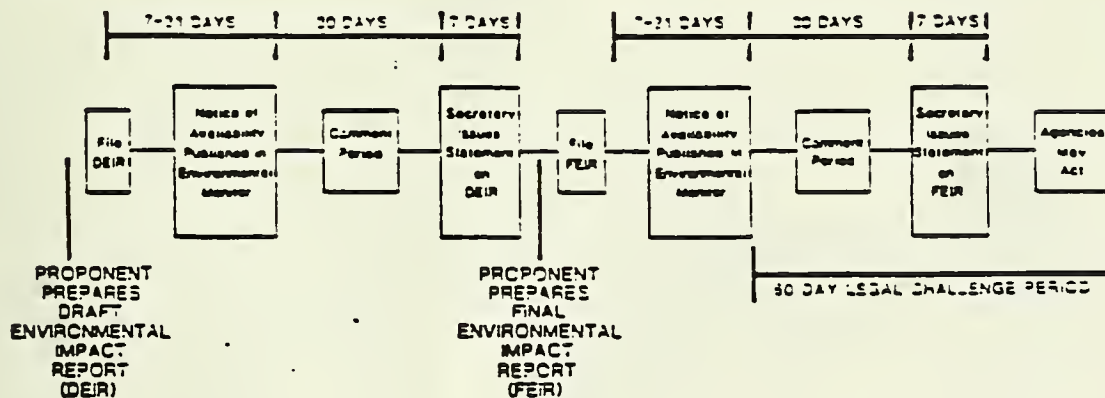
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## (5) MEPA Process Flow Chart

## (a) ENVIRONMENTAL NOTIFICATION FORM



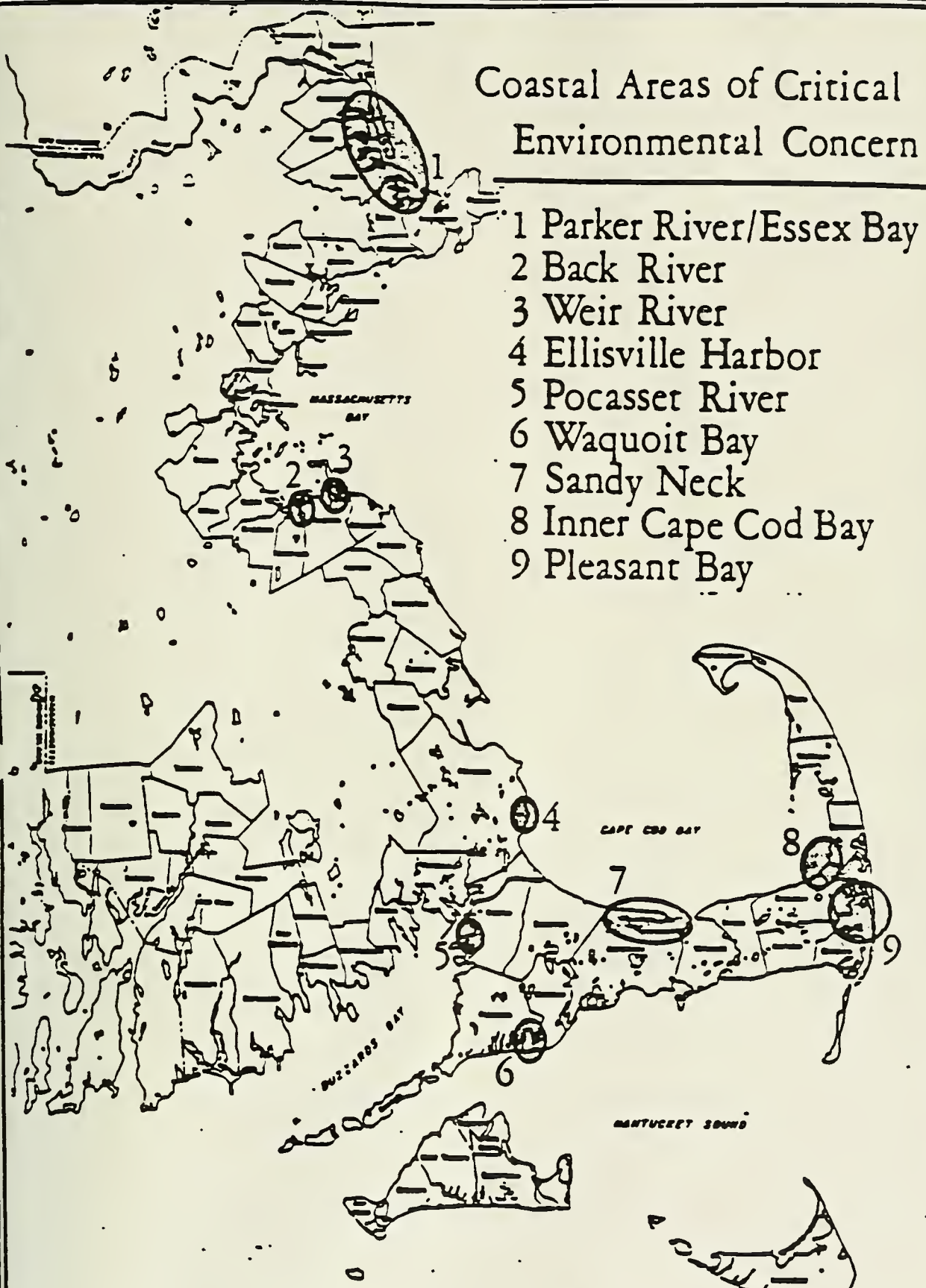
## (b) ENVIRONMENTAL IMPACT REPORT







## Coastal Areas of Critical Environmental Concern

- 
- 1 Parker River/Essex Bay
  - 2 Back River
  - 3 Weir River
  - 4 Ellisville Harbor
  - 5 Pocasset River
  - 6 Waquoit Bay
  - 7 Sandy Neck
  - 8 Inner Cape Cod Bay
  - 9 Pleasant Bay

Commonwealth of Massachusetts

Executive Office of Environmental Affairs

COASTAL ZONE MANAGEMENT

775, 041













